



SECTOR #3

Document No.: GR 97 P 2734

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By:  Date: December 16, 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frank Hintermaier  
Appl. No. : 09/161,196  
Filed : September 25, 1998  
Title : Capacitor Having A Barrier Layer Made Of A Transition Metal  
Phosphide, Arsenide Or Sulfide  
Art Unit : 2836

LETTER

Hon. Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

Sir:

The above-mentioned new patent application was filed on September 25, 1998 without a signed oath or declaration, under the provision of 37 C.F.R. 1.53(d).

In accordance with the above-mentioned rule, enclosed herewith is the original signed declaration as required by the Notice To File Missing Parts Of Application dated October 16, 1998.

The undersigned hereby states that the application filed in the Patent and Trademark Office is the application which the inventor(s) executed by signing the declaration. MPEP 601.01(a)(6)

The fee required for the late filing of an oath or declaration in the amount of \$130.00 is also enclosed.

Respectfully submitted,



For Applicant(s)

/xdj

Date: December 16, 1998

**RALPH E. LOCHER**  
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#3  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/161,196	09/25/98	HINTERMAIER	F GR-97-P-2734

0242/1016

LERNER AND GREENBERG  
P O BOX 2480  
HOLLYWOOD FL 33022-2480

NOT ASSIGNED

2836

DATE MAILED: 10/16/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
  - ☐ insufficient.
- Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.
- \$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.
- \$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.
- \$ \_\_\_\_\_ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
  - ☐ does not cover the newly submitted items.
  - ☐ does not identify the application to which it applies.
  - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply**

K. Nelson  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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